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TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/684,048
Filing Date	10/10/2003
First Named Inventor	Archibald I. Brain
Art Unit	3761
Examiner Name	TBA
Attorney Docket Number	108195.123US2 LMA-006 CN1
Total Number of Pages in This Submission	

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
  - ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☑ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Response to Missing Parts/ Incomplete Application
  - ☐ Response to Missing Parts under 37 CFR 1.52 or 1.53
- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) _____
- ☐ After Allowance communication to Group
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to Group **(Appeal Notice, Brief, Reply Brief)**
- ☐ Proprietary Information
- ☐ Status Letter
- ☑ Other Enclosure(s) (please Identify below):
  - Postcard

Remarks

1. PTO Form 1449 (6 pgs.)
2. 10 Publications

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Richard Goldenberg
Signature	Richard Goldenberg
Date	April 1, 2004

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.**

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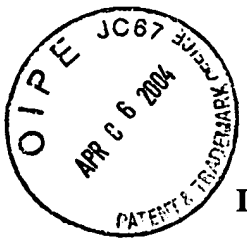

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	Archibald I. Brain	Examiner: TBA
Serial No.:	10/684,048	Group Art Unit: 3761
Filed:	October 10, 2003	
For:	**LARYNGEAL MASK WITH LARGE-BORE GASTRIC DRAIN**	
Atty. Docket No.:	108195.123US2 LMA-006 CN1	

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8(a)

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Tina M. Dougal

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97-98, and M.P.E.P. §609, Applicant hereby encloses Form PTO-1449, which includes publications which have previously been cited in a prior application Serial No. 09/413,970 filed October 7, 1999, now U.S. Patent No. 6,631,720, issued October 14, 2003, from which the above application claims priority under 35 U.S.C. §120. Therefore, pursuant to 37 C.F.R. § 1.98(d), no further copies of the previously cited art, with the exception of the publications identified below, are enclosed. It is presumed that the previous publications have been considered in connection with the subject application.

Enclosed Publications

4,553,540 (US)

5,339,808 (US)

6,390,093 (US)

1,125,595 (Europe)

GB 2359996

WO 91/12845

WO 97/12640

Caplan, R.A., et al., "Adverse Respiratory Events in Anesthesia: a closed claims analysis", Anesthesiol. 1990, 72:828-833.

Benumof, J.L., "Management of the difficult airway with special emphasis on awake tracheal intubation", Anesthesiol. 1991, 75:1087-1110.

Kapila A., et al., "Intubating LMA: a preliminary assessment of performance", British Journal of Anaesthesia, 1995, 75:228-229 (Abstract).

It is respectfully requested that the information above be expressly considered during the prosecution of this application and that the publications be made of record therein and appear among the "References Cited" on any patent to issue therefrom. In this regard, it is requested that the Examiner initial and return a copy of the enclosed Form PTO-1449 with the next Patent Office Communication.

This submission does not represent that a search has been made and does not constitute an admission that the listed publications are material to patentability or that the listed publications are prior art.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed publications should the publication be applied against the claims of the present application.

It is Applicant's belief that the filing of this Information Disclosure Statement precedes the date of the mailing of the first Office Action on its merits; therefore, pursuant to 37 C.F.R. §1.97(b)(3), no fee is believed to be due.

In the event a fee is due, the Commissioner is authorized to charge any fee deficiency or credit any overpayment to Deposit Account No. 08-0219.

Respectfully submitted,

Dated: April 1, 2004

Richard Goldenberg
Registration No. 38,895
Attorney for Applicants

Hale and Dorr LLP
60 State Street
Boston, Massachusetts 02109
(617) 526-6548 (telephone)
(617) 526-5000 (facsimile)

OIPE JC67
APR C 6 2004

Subt. For, PTO-1449	Docket Number	Application Number
INFORMATION DISCLOSURE IN AN APPLICATION *(Use several sheets if necessary)*	LMA-006 CN1 108.195.123US2	10/684,048
	Applicant: Archibald I. J. Brain	
Sheet 1 OF 6	Filing Date: 10/10/03	Group Art Unit: 3761

U.S. Patent Documents

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	RE 35,531	06/17/97	Callaghan et al.	128	207.15	
	Des 429,811	08/22/00	Bermudez	D24	110.5	
	2,862,498	12/02/58	Weekes	128	351	
	3,554,673	01/12/71	Schwartz et al.	417	412	
	4,231,365	11/04/80	Scarberry	128	207.15	
	4,509,514	04/09/85	Brain	128	207.15	
	4,553,540	11/19/85	Straith	128	200.26	
	4,872,483	01/26/93	Shah	137	557	
	4,953,547	9/4/90	Poole, Jr.	128	203.12	
	4,995,388	02/26/91	Brain	128	207.15	
	5,038,766	08/13/91	Parker	128	200.26	
	5,241,956	09/07/93	Brain	128	207.15	
	5,249,571	10/05/93	Brain	128	207.14	
	5,282,464	02/01/94	Brain	128	207.15	
	5,297,547	03/29/94	Brain	128	207.15	
	5,303,697	04/19/94	Brain	128	200.26	
	5,339,805	08/23/94	Parker	128	200.26	
	5,339,808	8/23/94	Don Michael	128	207.015	
	5,355,879	10/18/94	Brain	128	207.15	

Foreign Patent Documents

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
	2,012,750	08/24/99	Canada				
	2,067,782	06/15/99	Canada				
	0 294 200	04/15/92	Europe				
	0 389 272	09/26/90	Europe				
	0 402 872	12/19/90	Europe				
	0 580 385	05/08/96	Europe				

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant.	

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(Use several sheets if necessary)				Applicant: Archibald I. J. Brain	
Sheet	2	OF	6	Filing Date: 10/10/03	Group Art Unit: 3761

U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,391,248	02/21/95	Brain	156	242	
	5,529,582	06/25/96	Fukuhara	606	205	
	5,569,219	10/29/96	Hakki et al.	604	282	
	5,584,290	12/17/96	Brain	128	207.15	
	5,599,301	02/04/97	Jacobs et al.	604	65	
	5,623,921	04/29/97	Kinsinger et al.	128	200.26	
	5,632,271	05/27/97	Brain	128	207.15	
	5,653,229	08/05/97	Greenberg	128	207.15	
	5,655,528	08/12/97	Pagan	128	207.14	
	5,682,880	11/04/97	Brain	128	207.15	
	5,711,293	01/27/98	Brain	128	200.24	
	5,743,254	04/28/98	Parker	128	200.26	
	5,746,202	05/05/98	Pagan	128	207.14	
	5,771,889	06/30/98	Pagan	128	207.15	
	5,791,341	08/11/98	Bullard	128	207.15	
	5,850,832	12/22/98	Chu	128	200.26	
	5,865,176	02/02/99	O'Neil	128	207.15	
	5,878,745	03/09/99	Brain	128	207.15	

Foreign Patent Documents							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
	0 712 638	05/22/96	Europe				
	0 732 116	09/18/96	Europe				
	0 796 631	09/24/97	Europe				
	0 845 276	06/03/98	Europe				
	0 865 798	09/23/98	Europe				
	0 922 465	06/16/99	Europe				
	1 125 595	8/22/01	Europe				

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)

EXAMINER	DATE CONSIDERED

EXAMINER: Initial if citation is considered, whether or not citation is in conformance with MPEP § 609: Draw Line through citation if not conformance and not considered. Include copy with next communication to applicant.

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				Applicant Archibald I. J. Brain	
Sheet	3	OF	6	Filing Date 10/10/03	Group Art Unit 3761

U.S. Patent Documents						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,881,726	03/16/99	Neame	128	207.15	
	5,896,858	04/27/99	Brain	128	207.15	
	5,915,383	06/29/99	Pagan	128	207.15	
	5,937,860	8/17/99	Cook	128	207.15	
	5,979,445	11/09/99	Neame et al.	128	207.15	
	5,983,897	11/16/99	Pagan	128	207.15	
	5,988,167	11/23/99	Kamen	128	207.15	
	6,003,510	12/21/99	Anunta	128	200.26	
	6,003,514	12/21/99	Pagan	128	207.15	
	6,012,452	01/11/00	Pagan	128	200.26	
	6,021,779	02/08/00	Pagan	128	207.15	
	6,050,264	04/18/00	Greenfield	128	207.15	
	6,070,581	6/6/00	Augustine et al.	128	207.15	
	6,079,409	6/27/00	Brain	128	200.26	
	6,095,144	8/1/00	Pagan	128	207.15	
	6,116,243	09/12/00	Pagan	128	207.15	
	6,119,695	9/19/00	Augustine et al	128	207.15	
	6,390,093	5/21/02	Mongeon	128	207.15	

Foreign Patent Documents							
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	GB 2111394	12/03/82	United Kingdom				
	GB 2205499	06/05/87	United Kingdom				
	GB 2317342	08/29/97	United Kingdom				
	GB 2317830	09/05/97	United Kingdom				
	GB 2318735	10/24/97	United Kingdom				

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				Filing Date	Group Art Unit
Sheet	4	OF	6	10/10/03	3761

Foreign Patent Documents

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO
	GB 2319478	10/24/97	United Kingdom				
	GB 2359996	9/12/01	United Kingdom				
	2321854	01/08/98	United Kingdom				
	2323289	02/25/98	United Kingdom				
	2323290	03/03/98	United Kingdom				
	2323291	03/03/98	United Kingdom				
	2323292	03/09/98	United Kingdom				
	10118182	05/12/98	Japanese Abstract				
	10216233	08/18/98	Japanese Abstract				
	10263086	10/06/98	Japanese Abstract				
	10328303	12/15/98	Japanese Abstract				
	11128349	05/18/99	Japanese Abstract				
	11192304	07/21/99	Japanese Abstract				
	11206885	08/03/99	Japanese Abstract				
	10277156	10/20/98	Japanese Abstract				
	10314308	12/02/98	Japanese Abstract				
	10323391	12/08/98	Japanese Abstract				
	WO 91/03207	3/21/91	WIPO				
	WO 91/07201	05/30/91	WIPO				
	WO 91/12845	9/5/91	WIPO				
	WO 92/13587	08/20/92	WIPO				
	WO 95/33506	12/14/95	WIPO				
	WO 97/12640	04/10/97	WIPO				
	WO 97/12641	04/10/97	WIPO				
	WO 98/16273	04/23/98	WIPO				
	WO 99/06093	02/11/99	WIPO				
	WO 00/22985	04/27/00	WIPO				
	WO 00/23135	04/27/00	WIPO				
	WO 00/61212	10/19/00	WIPO				

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Sheet	5	OF	6	10/10/03	3761

Other Documents (Including Author, Title, Date Pertinent Pages, Etc.)		
	AA	Brain, "The Laryngeal Mask Airway – A Possible New Solution to Airway Problems in the Emergency Situation," Archives of Emergency Medicine, 1984, Vol. 1, pgs. 229-232
	AB	Brain, "The laryngeal mask airway," Anaesthesia, 1985, Vol. 40, pp. 356-361
	AC	Brain, "Three cases of difficult intubation overcome by the laryngeal mask airway," Anaesthesia, 1985, Vol. 40, pp. 353-355
	AD	DeMello, et al., "The use of the laryngeal mask airway in primary anaesthesia," Anaesth. Corresp. (1990) 45,9:793
	AE	Hickey, et al., "Cardiovascular response to insert of Brain's laryngeal mask," Anesth. Corresp. 1990, Vol. 45, pgs. 977-979
	AG	Brain, "The Laryngeal Mask – A New Concept in Airway Management," Br. J. Anesth. (1983), Vol. 55, pgs. 801-805
	AH	Broderick, "The laryngeal mask airway," (1989) Anaesthesia, Vol. 44, pgs. 238-241
	AI	Inomata, et al., "Transient Bilateral Vocal Cord Paralysis after Insertion of a Laryngeal Mask Airway," Anesthesiology, 82:787-788, 1995
	AJ	Majumder, et al., "Bilateral Lingual Nerve Injury Following the Use of the Laryngeal Mask Airway," Anaesthesia, 1998, Vol. 53, pp. 184-186
	AK	Wynn, et al., "Tongue Cyanosis after Laryngeal Mask Airway Insertion," Anesthesiology, V. 80, No. 6, June 1994, p. 1403
	AL	Nagai, "Unilateral hypoglossal nerve paralysis following the use of the laryngeal mask airway," Anaesthesia, 1994, Vol. 49, pp. 603-604
	AM	Brain, et al., "A new laryngeal mask prototype," Anaesthesia, 1995, Vol. 50, pp. 42-48
	AN	Burgard, et al., "The Effect of Laryngeal Mask Cuff Pressure on Postoperative Sore Throat Incidence,' J. of Clinical Anesthesia 8:198-201, 1996
	AO	Benumof, "Laryngeal Mask Airway and the ASA Difficult Airway Algorithm," Anesthesiology 1996:v84 no.3:686-99
	AP	Pennant, "Comparison of the Endotracheal Tube and Laryngeal Mask in Airway Management by Paramedical Personnel," Anesth Analg 1992:74:531-4
	AQ	Brimacombe, "The split laryngeal mask airway," p. 639
	AR	Worthington, et al., "Proceedings of the Anaesthetic Research Society," Br. J. of Anaesthesia 1995 75:228P-229P
	AS	Heath, "Endotracheal intubation through the Laryngeal Mask – helpful when laryngoscopy is difficult or dangerous," European Journal of Anaesthesiology 1991, Suppl. 4, 41-45
	AT	Kambic, et al., "Intubation Lesions of the Larynx," Br. J. Anasth. 1978, 50, 587-590
	AU	Abdelatti, "A cuff pressure controller for tracheal tubes and laryngeal mask airway," Anaesthesia, 1999, 54 pp. 981-986
	AV	Muthuswamy, et al., "The Use of Fuzzy Integrals and Bispectral Analysis of the Electroencephalogram to Predict Movement Under Anesthesia," IEEE Transactions on Biomedical Engineering, Vol. 46, No. 3, March 1999, pp290-299
	AW	Glen, "The development of 'Diprifusor': a TCI system for propofol," Anaesthesia 1998, 53, Suppl. 1, pp. 13-21
	AX	Gray et al., " Development of the technology for 'Diprifusor' TCI systems," Anaesthesia 1998, 53, Suppl. 1, pp. 22-27
	AY	Engbers, "Practical use of 'Diprifusor' systems", Anaesthesia 1998, 53, Suppl. 1, pp. 28-34
	AZ	Doyle et al., "Intraoperative Awareness: A Continuing Clinical Problem," http://doyle.ibme.utoronto.ca/anesthesia/aware.htm
	BA	Eriksson, et al., "Functional Assessment of the Pharynx at Rest and during Swallowing in Partially Paralyzed Humans," Anesthesiology Vol. 87, No. 5, Nov. 1997, pp. 1035-1042
	BB	Cuff-Pressure-Control CDR 2000, LogoMed
	BC	Seegobin, et al., "Endotracheal cuff pressure and tracheal mucosal blood flow: endoscopic study of effects of four large volume cuffs," British Medical Journal, Vol. 288, March 31, 1984
	BD	Raeder, et al., "Tracheal tube cuff pressures," Anaesthesia, 1985, Vol. 40, pp. 444-447
	BE	Jacobson et al., "A Study of Intracuff Pressure Measurements, Trends and Behaviours in Patients During Prolonged Periods of Tracheal Intubation, Br. J. Anaesth. 1981, 53, 97

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(Use several sheets if necessary)				Applicant: Archibald I. J. Brain	
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Sheet	6	OF	6	10/10/03	3761

	BF	Willis, et al., "Tracheal tube cuff pressure," Anaesthesia, 1988, Vol. 43, pp. 312-314
	BG	Miller, "A pressure regulator for the cuff of a tracheal tube," Anaesthesia, 1992, Vol. 47, pp. 594-596
	BH	Patel, et al, "Trachael tube cuff pressure," Anaesthesia, 1984, Vol. 39, pp. 862-864
	BI	Pippin, et al., "Long-term tracheal intubation practice in the United Kingdom", Anaesthesia, 1983, Vol. 38, pp. 791-795
	BJ	Bernhard, et al., "Adjustment of Intracuff Pressure to Prevent Aspiration," Anesthesiology v. 50 no. 4:363-366, 1979
	BK	Bernhard, et al., "Physical Characteristics of and Rates of Nitrous Oxide Diffusion into Tracheal Tube Cuffs," Anesthesiology 48:413-417 1978
	BL	Craven, "Prevention of Hospital-Acquired Pneumonia: Measuring Effect in Ounces, Pounds, and Tons, "Annals of Internal Medicine, Vol. 122, No. 3, pp. 229-231 February 1, 1995
	BM	Lindholm, "Prolonged Endotracheal Intubation," ACTA Anaesthesiologica Scandinavica 1969 Vol. 33 32-46
	BN	Caplan R.A., Posner K.L., Wend R.J., Cheney F.W., " Adverse respiratory events in anesthesia: a closed claims analysis", Anesthesiol. 1990. **72:**828-833.
	BO	Benumof J.L., "Management of the difficult airway with special emphasis on awake tracheal intubation," Anesthesiol. 1991. 75**;6:**1087.
	BP	Kapila A., Addy E.V., Verghese C., Brain A.J., "Intubating LMA: a preliminary assessment of performance", British Journal of Anaesthesia, 1995; **75:**228-229 (Abstract).

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